

**United States District Court  
Northern District of New York**

**JUDGMENT IN A CIVIL CASE**

**ARLENE M. BRODBECK**

**Plaintiff**

**VS.**

**5:05-CV-257 (NAM)**

**COMMISSIONER OF SOCIAL SECURITY, Michael J. Astrue**

**Defendant**

**[X] Decision by Court.** This action came to trial or hearing before the Court.  
The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED**

That the Report and Recommendation of Magistrate Judge George H. Lowe is adopted in its entirety. It is ordered that the decision of the Commissioner be reversed and the case be remanded pursuant to sentence four of 42 USC section 405(g) for proper determination of plaintiff's residual functional capacity and for further clarification and application of SSR 00-4p with a reasonable explanation regarding conflicts between the vocational expert testimony and the Dictionary of Occupational Titles.

All of the above pursuant to the Order of the Honorable Chief Judge Norman A. Mordue dated the 7th day of March, 2008.

**MARCH 7, 2008**

\_\_\_\_\_  
**DATE**

**LAWRENCE K. BAERMAN**

\_\_\_\_\_  
**CLERK OF COURT**

s/  
\_\_\_\_\_

**JOANNE BLESKOSKI  
DEPUTY CLERK**